

**GOVERNMENT OF TELANGANA  
ABSTRACT**

Public Servants – PR&RD Dept. – Allegation of creating false MB records and withdrawing an amount of Rs.6,36,246/- in construction of Division Office building at Mancherla (M) of Adilabad District– Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 (Telangana Adaptation) order, 2016 – Article of charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

**G.O.RT.No. 497**

**Dated: 18-07-2016**

**Read:**

G.O.Ms.No.54, PR&RD (Vig.I) Department, dated,18.07.2016.

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**ORDER:**

In pursuance of the sanction accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980(Telangana Adaptation Order) 2016 in the G.O. read above, for initiating departmental proceedings against Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District, it is proposed to hold an enquiry against Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Service (Classification, Control and Appeal) Rules, 1991 (Telangana Adaptation Order) 2016.

**2.** The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and list of witnesses, by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-II and III).

**3.** Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

**4.** Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

**5.** Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Application) Rules, 1991 (Telangana Adaptation Order) 2016 or the order/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

**6.** Attention of Sri Malleshham, the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District is invited to Rule 24 of the A.P. Civil Service (Conduct) Rules, 1964 (Telangana Adaptation Order) 2016, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer from O/o SE, PR, Adilabad District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Service (Conduct) Rules, 1964 (Telangana Adaptation Order) 2016.

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7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P.SINGH  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
Sri Malleshham the then HD, Panchayat Raj Asifabad, and retired as Technical Officer  
from O/o SE, PR, Adilabad District through the  
Engineer-in-Chief, PR, Hyderabad.  
The Engineer-in-Chief, Panchayat Raj, Hyderabad.  
(with a request to serve and return the acknowledged copy and W.S.D.)  
The PR&RD (PR.II) Deptt.,  
SF/SC

//FORWARDED ::BY ORDER//

SECTION OFFICER

## **ANNEXURE –I**

(Annexure to G.O.Rt.No.497 , PR&RD (Vig.I) Dept., dt.18.07.2016)

### **Statement of draft articles of charge framed against Sri Mallesham (Retired)H.D (Panchayat Raj) Asifabad .**

#### **Charge I:**

That the said Sri Mallesham (Retired) H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherial" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs by not initiating any notices to the contractor for slow progress of work and by processing all the four bills (3 part bills and 1 final bill) to the contractor after the agreement period without any sanction of Extension of Agreement Time.

**Basis:** The Executive Engineer, PR, V&QC, Nirmal has conducted an enquiry and submitted his report dt. 14.03.2016 in the matter, which states that the said work was sanctioned for Rs. 10.00 lakhs under ZP General Funds. The said work was entrusted to Sri D. Ramulu, Contractor on tender basis at 28.00% less vide agmt No. HD/SHAPE-II/23/2005-06 dt. 31.01.2006, with date of completion as 30.04.2006. It is observed no notices were issued to the contractor, no extension of agreement time was taken and all the four bills are paid to the contractor after the agreement period. The total value of work done by the contractor from the four bills till 21.12.2006 is Rs. 6,35,747/-. Thereby Sri Mallesham ,Retd HD has violated the departmental procedures in vogue and not discharged the official duties properly.

Hence the charge.

#### **Charge II:**

That the said Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherial" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs for not processing any termination orders for the agreement, but taken up the work departmentally and for not closing the work done by the contractor and for not getting the approval of work to be done estimate, released FSD/ASD and then EMD to the contractor without completion of work by him.

**Basis:** The Executive Engineer, V&QC, Nirmal has enquired into the matter and submitted his report which states that as per the records made available to him, no termination orders are issued to the agreement of the contractor, permitted the execution of work departmentally without closing the work done, without approval of the work to be done estimate. Further based on the request dt. 02.12.2006 of the contractor, released the FSD/ASD On 21.12.2006 and EMD on 30.08.2007 to the contractor without completion of the work by him. Thereby Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad has violated the departmental procedures in vogue and grossly neglected his official duties.

Hence the charge.

#### **Charge III:**

That the said Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherial" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs for not processing the tenders for the balance works for executing the balance work departmentally at estimated rates against the earlier agreement at 28.00% less rates, thereby causing financial loss to the Government to a tune of about Rs. 1,51,829/-.

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**Basis:** The Executive Engineer, V&QC, Nirmal has enquired into the matter and submitted his report which states that balance work is executed departmentally at estimated rates whereas the original agreement was at 28.00% less rates. The payment for departmental execution was made in 2 bills amounting to Rs. 5,42,247/-, 28.00% less of which will be Rs. 1,51,829/-. The balance work was permitted for execution departmentally without going in for tenders. Thereby Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad has violated the departmental procedures in vogue and not discharged the official duties properly.

Hence the charge.

**Charge IV:**

That the said Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancheria" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs for deviating the departmental procedures and because of the lapses in the procedure followed, the contractor is claiming that the total work is done by him only and the amount is not paid to him, instead the Engineering Wing have drawn Rs. 6,36,246/- and used.

**Basis:** The Executive Engineer, V&QC, Nirmal has enquired into the matter and submitted his report which states that the balance work is executed departmentally, two bills are claimed for the departmental execution with recorded/checkmeasured dates from 12.09.2006 to 27.12.2006 (against the date of submission 21.12.2006 of 4<sup>th</sup> bill paid to the contractor). The Executive Engineer permitted the Deputy Executive Engineer to take up the work departmentally vide Proc. Dt. 25.09.2006. The work to be done departmentally was approved on 09.02.2007. Total value of work done by the department as per the two bills claimed is Rs. 5,42,247/-. Though the contractor has simply accepted the release of FSD/ASD/EMD without claiming then for the pending amount, since the checkmeasurement dates are before the application of the contractor dt. 02.12.2006, it appears that the work is completed by the contractor and the department people have cooked the records and resulting in claim by the contractor. There are lapses in the procedure followed in processing the payments and thereby Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad has not discharged the official duties properly.

Hence the charge.

//FORWARDED ::BY ORDER//

SECTION OFFICER

**ANNEXURE –II**

(Annexure to G.O.Rt.No.497 , PR&RD (Vig.I) Dept., dt.18.07.2016)

**List of documents by which the articles of charge framed against Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad .**

Lr.No.AE/Nirmal/DEE VQC /Creating false reports/2015 dated 14.3.2016 of  
EE,V&QC Division, Nirmal.

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SECTION OFFICER

**ANNEXURE –III**

(Annexure to G.O.Rt.No.497 , PR&RD (Vig.I) Dept., dt.18.07.2016)

**List of Witness by which the articles of charge framed against Sri Mallesham (Retired)H.D (PR) Asifabad, while functioning as the H.D (PR) Asifabad .**

-Nil-

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